

SCOTT N. SCHOOLS (SCBN 9990)
 United States Attorney

MARK L. KROTOSKI (CSBN 138549)
 Chief, Criminal Division

MARK L. KROTOSKI (CABN 138549)
 MATTHEW A. LAMBERTI (DCBN 460339)
 Assistant United States Attorneys
 150 Almaden Avenue, Suite 900
 San Jose, California 95113
 Telephone: (408) 535-5035
 FAX: (408) 535-5081
 E-Mail: Mark.Krotoski@usdoj.gov
 E-Mail: Matthew.Lamberti@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

E-FILED - 6/6/07

UNITED STATES OF AMERICA,)	No. CR 05-00641-RMW
)	
Plaintiff,)	
)	STIPULATION REQUESTING
v.)	ADVANCING OF SENTENCING
)	HEARING AND ORDER
YE TENG WEN,)	
aka Michael Wen, and)	
HAO HE,)	
aka Kevin He,)	
)	
Defendants.)	

It is hereby stipulated and agreed between defendant Ye Teng Wen, by and through his counsel of record, defense attorney Vicki Young, and defendant Hao He, by and through his counsel of record, defense attorney Richard Pointer, and the United States, by and through Assistant United States Attorneys Mark L. Krotoski and Matthew A. Lamberti, as follows:

1. This matter is presently set for a sentencing hearing on June 25, 2007 at 9:00 a.m.

Government counsel has a conflict on that date and first advised the defense of this conflict in

1 March 2007.

2 2. The parties jointly request that the sentencing hearing be set for Thursday, June 14, 2007
3 at 2 p.m. Presently, this is the most viable sentencing hearing date for all counsel in this matter.

4 3. The probation officer has been advised of the new date and has a conflict; however
5 someone from the Probation Office will be present. Defense counsel has represented she is
6 unavailable on June 4th, June 7th, and June 11th. Consequently, June 14th is the only viable date.

7 4. For the foregoing reasons, and that the ends of justice are served by continuing this case,
8 the parties stipulate to advance the sentencing hearing from June 25, 2007 at 9:00 a.m. to June
9 14, 2007 at 2:00 p.m.

10 IT IS SO STIPULATED.

11 Dated: May 14, 2007

SCOTT N. SCHOOLS
United States Attorney

12
13 /s/

14 MARK L. KROTOSKI
15 MATTHEW A. LAMBERTI
Assistant United States Attorneys

16 Dated: May 14, 2007

17 /s/
VICKI YOUNG
Counsel for Defendant Ye Teng Wen

18
19 Dated: May 11, 2007

20 /s/
RICHARD POINTER
Counsel for Defendant Hao He

21 **ORDER**

22 IT IS SO ORDERED.

23 Based on the stipulation of the parties, the sentencing hearing is advanced from June 25,
24 2007 at 9:00 a.m. to June 14, 2007 at 2:00 p.m.

25 Dated: June 6, 2007

26 Ronald M. Whyte
27 RONALD M. WHYTE
United States District Judge

1 Distribute To:

2 Richard Peyton Pointer
3 Hinkle, Jachimowicz, Pointer & Mayron
4 Attorney's at Law
5 2007 W. Hedding Suite 100
6 San Jose, CA 95128
7 FAX (408) 554-0571

8 Vicky Young
9 240 Stockton St #400
10 San Francisco, CA 94108-5306
11 FAX (415) 397-9801

12 Mark L. Krotoski
13 Matthew A. Lamberti
14 AUSAs
15 150 Almaden Boulevard, Suite 900
16 San Jose, CA 95113

17 Constance M. Cook
18 U. S. Probation Officer
19 Northern District of California
20 1301 Clay Street, Suite 220 South
21 Oakland, CA 94612